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भाग II—खण्ड 3—उप-खण्ड (II)
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प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रचा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 6 जून, 1991

का. घा. 387(अ) :—यतः केन्द्रीय सरकार ने गैर-कानूनी गति-
विधियाँ (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3
की उपधारा (i) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, 27 नवम्बर,
1990 को, यूनाइटेड लिबरेशन फ्रंट प्राक असम (उल्का) को एक गैर-
कानूनी संगठन घोषित किया था ;

और यतः केन्द्रीय सरकार ने उक्त अधिनियम की धारा 5 की उप-
धारा (i) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए 22 दिसम्बर, 1990
को, दिल्ली उच्च न्यायालय के न्यायाधीश, न्यायमूर्ति श्री जसपाल सिंह को
शामिल करते हुए गैर कानूनी गतिविधियाँ (निवारण) अधिनियम की स्था-
पना की थी ;

और यतः केन्द्रीय सरकार ने उक्त अधिनियम की धारा 4 की उप-
धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह न्याय निर्णय
करने के प्रयोजन से कि क्या उक्त संगठन को गैर-कानूनी घोषित करने के
लिए पर्याप्त कारण था या नहीं, 24 दिसम्बर, 1990 को उक्त अधि-
नियम को अधिनियम के पास भेज दिया था ;

और यतः उक्त अधिनियम ने अधिनियम की धारा 4 की उपधारा
(3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए 25 मई, 1990 को
एक आदेश किया था ;

यतः अब, उक्त अधिनियम की धारा 4 की उप धारा (4) के अनु-
सरण में, केन्द्रीय सरकार उक्त अधिनियम के उक्त आदेश को एतद्वारा
प्रकाशित करती है।

[फा. सं. - 11011/109/90-एनई-IV

अनुपम बैनर्जी, उप सचिव (प्राप्त)

गैर कानूनी गतिविधियाँ (निवारण) अधिनियम के समक्ष,
दिल्ली उच्च न्यायालय भवन, नई दिल्ली

भारत संघ

... बावी

गृह मंत्रालय, नई दिल्ली

(श्री भवन लोकार, केन्द्रीय सरकार के स्थायी बक्की, द्वारा)

बनाम

यूनाइटेड लिबरेशन फ्रंट प्राक असम (उल्का)

... प्रतिवादी

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 6th June, 1991

S.O. 387(E).—Whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967) declared on the 27th November, 1990, the United Liberation Front of Assam (ULFA) to be an unlawful association;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 5 of the said Act, constituted on the 22nd December, 1990, the Unlawful Activities (Prevention) Tribunal consisting of Shri Justice Jaspal Singh, Judge of the Delhi High Court;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 4 of the said Act referred the said notification to the Tribunal on the 24th December, 1990, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said association unlawful;

And whereas the said Tribunal in exercise of the powers conferred by sub-section (3) of section 4 of the Act made an order on the 25th May, 1990;

Now therefore, in pursuance of sub-section (4) of section 4 of the said Act, the Central Government hereby publishes the said order of the said Tribunal, namely :—

ORDER

In pursuance of the powers conferred under Section 3(1) of the Unlawful Activities (Prevention) Act, 1967 (hereinafter called the Act), the Government of India in the Ministry of Home Affairs by notification No. S.O. 915(E) dated November 27, 1990 declared the United Liberation Front of Assam and the various wings thereof (hereinafter referred to as ULFA) to be an unlawful association. The Government of India under the provisions of Section 4(1) of the Act made the reference to the Tribunal.

The Government of India by the Notification referred to above, had declared ULFA to be an unlawful association on the ground that it had been "indulging in various illegal and violent activities intended to disrupt or which disrupt the sovereignty and integrity of India, such as

by creating a deep sense of insecurity among the people, and by committing other acts like extortion of money, murders of political leaders, police officials, businessmen and others, threat, intimidation, kidnapping and harassment of people, snatching of fire arms from licence holders, dacoities, highway robberies and looting of banks, punishment of alleged offenders for social and economic crimes and forcible occupation of lands and buildings."

In accordance with section 4(2) of the Act notices were issued and served upon ULFA to show cause in writing within thirty days of the service, why it should not be declared an unlawful association. None on behalf of ULFA cared to put in appearance nor any cause has been shown in response to the notice.

Mr. Madan Lokur has appeared for the Government of India.

The Central Government has filed an affidavit of Mr. Madan Mohan Jha, Deputy Secretary, Ministry of Home Affairs, Government of India and a resume of the aims, objects and activities of ULFA besides various documents.

It appears from the material on the record that ULFA came into being during 1979-80 and soon thereafter its sponsors established contact with the underground leaders of National Socialist Council of Nagaland (N.S.C.N.) for mutual help, support and training of ULFA cadres at the N.S.C.N. Head Quarters, in Burma. Batches of trainees have since then been crossing over to Burma undergoing training in handling of arms, ammunitions, explosives, guerrilla warfare and insurgency operations and have been bringing back Chinese made arms. More than 1000 active cadres have received such training. In addition it had trained up more than 5000 cadres in the training centres established in various parts of the Brahmaputra Valley districts and has acquired a large number of sophisticated arms including AK-47 rifles, M-20 pistols, 22 rifles, C-4 rifles, SMG, Carbine, grenades, bottle bombs and other explosives, besides 1923 licensed guns, pistols, rifles and other weapons snatched away from the civilian holders by putting them under fear of death and violent retaliation.

The documents and the resume filed by the Central Government go to show that ULFA was formed with the aim and object of liberating Assam from what it calls, 'Indian Colonial Regime' through armed struggle and to establish a society free from exploitation and in order to achieve its aims and objects, the ULFA and its members have been indulging in various secessionist, violent and illegal activities intended to create terror and a deep sense of insecurity among the people and especially those who are either opposed or do not extend support to its philosophy and methods. It has been inciting the people in general against the Union of India and the Constitution of India, Committing murders of selected individuals refusing to fall in line or the dictates of ULFA (Annexure V contains the names of as many as 32 such persons), dacoities and robberies and looting banks. It has also been intimidating and kidnapping people in general and extorting money from affluent section of the society.

It further appears from the documents that ULFA has recently joined hands with National Socialist Council of Nagaland (N.S.C.N.) and United National Liberation Front Manipur to force a common front called Indo Burma Revolu-

tionary Front in order to build up a united struggle for the "independence of Indo-Burma" (a region which includes Assam), the "Declaration on the foundation of the Indo-Burma Revolutionary Front (IBRF)" was signed on May 22, 1990. One of the signatories was A. Rajkhowa, Chairman ULFA.

From the evidence on the record the Tribunal is satisfied that there was sufficient cause for declaring ULFA to be an unlawful association by Notification No. S.O. 915(E) dated 27th November, 1990 under section 3(1) of the Act. Consequently the declaration made by the Government of India in the said Notification is hereby confirmed.

Sd/-

May 25, 1991

JASPAL SINGH

Tribunal

[F. No. 11011/109/90-NE. IV]
A. BANERJEE, Dy. Secy. (ASSAM)

